

Director – Resource Assessments
Planning Services
Department of Planning and Environment
GPO Sydney NSW 2001

Stuart Fullerton
4 Wesley Street
Bolwarra Heights 2320

Ref: SSD 14 _6612 Martins Creek Quarry Expansion

Dear Sir/Madam,

I oppose the Martins Creek Quarry Expansion for the following reasons:

The proponent is asking for an increase in extraction tonnage **from** an amount of over 900,000 p.a. This is more than 300% more than is asserted by Dungog Council who were party to the original deal! How is this even possible or allowable? To seek an increase on something you have no rights to? This dispute, as you are no doubt aware, is between the proponent and Dungog Council. This highly disputed and contentious currently permitted tonnage is a central component of the proponent's application, extraction tonnage.

Whilst this matter is before the courts I do not believe this submission is valid in that it claims to be an increase of tonnage from what is a highly disputed base amount currently. I believe the proponent should be given an order to cease and desist trading above the disputed tonnage and that they should comply with all terms and conditions of that approval and ship, the majority of that legal tonnage by rail.

Whilst we noted your comments regarding this point, that these matters are two separate processes and could continue simultaneously, I do not agree. Whilst in principle it should be possible, in this instance an essential component of the proposal involves disputed tonnage levels. I fear this could result in further legal disputation in future and a region further exposed and subjected to the consequences of this, allegedly, illegal tonnage on our suburban and rural streets.

I sit here at home indoors, approximately 100 metres from Tocal Road reflecting on this entire process quietly enduring a seemingly incessant stream of heavy vehicles banging and crashing their way noisily to and from the quarry along Tocal Road. It's just another day, 13.00. The house shakes a bit and the vibrations can be felt. It starts a little later in the morning recently from around 5 a.m. We're woken every morning to the musical sound of heavy vehicles speeding past and searching out every bump and pothole. Any genuine measurement of these noise levels will find that they are significant, unreasonable and unacceptable.

I remain astounded at the appalling contradictions in the enforcement of noise level regulations. Trucks can wake us from our slumber at any hour of the day or night but if a neighbour or contractor started up a mower or noisy power tool before 7 a.m. we could report it and expect something would be done, immediately! Yet nothing is done to address the noise abatement issues from deafening trucks?

During the period that the proponent was supplying a project in Hexham, 2014, the levels of vehicle movement passed what had already been an unacceptable number and we found our neighbours were also suffering serious disruptions with sleep deprivation and the inability to escape the constant noise and vibrations. Our gardens were too noisy to have a conversation or a phone call let alone enjoy some amenity. We had our section of Tocal Road expedited in its renovation/upgrade which for a time reduced some of the noise impacts but potholes soon appear and the truck symphony gets its big base drums back.

My wife and I walk our dogs at 7 a.m. and walk along Tocal Road to Paterson Road and further and back. On far too many occasions we have had to try to take cover behind anything and cower as these trucks speed through well in excess of the designated speed limit and due to the winding nature of the road and lack of any shoulder or verge it's terrifying to be walking towards these speeding monsters wondering whether they'll make the corner or not. This is one of Maitland's only streets with no on-street parking and telegraph poles inches from the road doesn't help make things any safer. We've advised the police, as have many others, who had stepped up patrols but were and are hampered in their ability to effectively monitor speed limits due to the narrow roads and many bends.

We've had private meetings with the owner David Mingay and his associates to voice our concerns directly to them. We've participated in every meeting regarding this project and taken part in the farcical process of "community consultation" where the main issues could not be discussed with Daracon and all of it for no result. The proponent will not try to reach a compromise on tonnage, (number of vehicles per hour) hours of operation, traffic and customer management systems and processes, methods of delivery or, in reality, address any of the residents' deep and serious concerns with the levels of noise, dust and other pollutants we're being exposed to or the increased levels of danger posed by the excessive numbers of heavy vehicles in our streets. As a consequence of our dealings with this company we express no faith in the management.

The proponent freely expresses the fact that they have no control over the behaviour of these heavy vehicles other than their own Daracon trucks of which there are 19. The vast majority of all heavy vehicles to and from Martins Creek Quarry are not Daracon vehicles. We gained a commitment that Daracon trucks would observe the speed limit through our section of Tocal Road or less, which became rather a pyrrhic result given how few Daracon trucks there are.

Now that you have had the opportunity to view the haul routes I believe you should have a much clearer view of how ludicrous this concept of pumping large numbers of heavy vehicles through Paterson and along the designated haul routes is. You witnessed how dangerous, impractical and impossible it is for these heavy vehicles to navigate safely around one or two of those corners through Paterson. I believe that the truck haul routes are unsuitable and will pose an unnecessary risk elevation to other road users and pedestrians. That there have been no serious crashes or fatalities has been as a result of sheer good luck and should not be allowed to substitute for good management practises, effective supervision and suitable distribution methods for product delivery.

Quarry operations throughout the area need to be viewed and considered with regard to their cumulative impacts. Brandy Hill quarry expansion (application #5899) also seeks planning approval to increase production to 1.5 million tonnes p.a. and extend their hours of operations to 24/7 Any increase in tonnage from one quarry adds to already unacceptable numbers of heavy vehicles throughout the area. The productivity losses suffered by the entire community along the designated routes and their interfaces with Melbourne Street, New England Highway would be appalling. How many trucks would end up stacked nose to tail as only one or two at a time can progress through a light change.

A Moratorium on all quarry tonnage increases until an enquiry is completed to reduce the social and environmental impacts of transporting these products needs to be imposed till a fully funded plan is implemented to transport the products sustainably, effectively and equitably with due regard for residents' concerns.

I'm pleased Daracon has finally managed to submit their EIS and their application for a new and full DA for Martins Creek Quarry which will hopefully see effective and enforceable regulations of quarry operations and truck movements throughout the life of the quarry.

This process has taken far too long. It is deeply regrettable that delays are in the proponent's interests, ensuring this process take as long as possible whilst enjoying windfall profits, flagrantly disregarding residents' concerns, the terms and conditions of the current DA with no legal basis for their current levels of production.

Personally, I find it galling that Daracon is gaining itself a monopoly on regional projects with their signs on innumerable sites whilst disregarding the damage they're causing the community and the environment. Trucks from quarries, in particular, are causing significant negative impacts on quality of life and social amenity. We've witnessed the industrialising of our quiet semi-rural and suburban roads to an intolerable level that would be unacceptable in any other area or for any other product such as coal. The few jobs the proponent asserts will be created are more than offset by the loss of so many other jobs and enterprises most especially in the hospitality and tourism sectors. How can one company be allowed to take so much from so many and for so long? I accept that a reduced haulage route does mean a reduction in costs of material but at what price to the rest of the community?

I think you should approve the tonnage levels that Daracon purchased i.e. 300,000 tonnes p/a with 75% to be shipped along rail network and Monday to Friday operations 8 a.m. till 4 p.m. At the time of purchase from the SRA the proponent knew full well the tonnage and operational restrictions on this sensitive site and area. There is no doubt they have enjoyed substantial windfall profits given their disregard for any restrictions on their operations or tonnage since then. This would see no harm to them and a return to no harm for the community. Return them what they purchased.

There needs to be a substantial reduction in truck numbers through greater use of the rail capacity of the quarry through the establishment of a rail distribution centre linked to major road infrastructure. Truck numbers need to reflect the actual truck numbers in and out of the quarry whether delivering material to site or moving material off site.

There needs to be a limit on the hours of operation of the quarry with regards to its transport corridor through residential areas. Quarry open at 8 still would have trucks through Bolwarra at 6.30 to 7 a.m.

I have lived in this area for 18 years and have noticed the increase in traffic volume through our area. The Maitland region is rapidly growing and a major NSW growth area. These increased levels of vehicle movements are already placing great strain on the existing infrastructure. Ratepayers in Maitland are already facing an annual increase in rates of 7% for the next 7 years!

Improved road resurfacing along the quarry transport corridor by ample and considerable ongoing contributions from quarry operations throughout the life of the quarry in the form of a levy indexed to tonnage to satisfactorily repair/replace/upgrade the road systems heavily degraded by their tonnage. Their needs to be a retrospective payment by the proponent for damage already done to infrastructure.

Any and all trucks need to be suitable and fit for purpose giving due regard to the many kilometres of suburban and country roads they will traverse and suitably equipped to limit noise in residential areas and regularly checked by RMS.

Thank you for your consideration.

I have not made a reportable political donation

Kind Regards

Stuart Fullerton